

## § 831.1

831.13 Flow and dissemination of accident information.

831.14 Proposed findings.

AUTHORITY: Federal Aviation Act of 1958, as amended (49 U.S.C. 40101 *et seq.*), and the Independent Safety Board Act of 1974, as amended (49 U.S.C. 1101 *et seq.*).

SOURCE: 53 FR 15847, May 4, 1988, unless otherwise noted.

### § 831.1 Applicability of part.

Unless otherwise specifically ordered by the National Transportation Safety Board (Board), the provisions of this part shall govern all accident or incident investigations, conducted under the authority of title VII of the Federal Aviation Act of 1958, as amended, and the Independent Safety Board Act of 1974. Rules applicable to accident hearings and reports are set forth in part 845.

### § 831.2 Responsibility of Board.

(a) *Aviation.* (1) The Board is responsible for the organization, conduct and control of all accident investigations within the United States, its territories and possessions, where the accident involves any civil aircraft or certain public aircraft (as specified in § 830.5 of this chapter), including an accident investigation involving civil or public aircraft (as specified in § 830.5) on the one hand and an Armed Forces or intelligence agency aircraft on the other hand. It is also responsible for investigating accidents that occur outside the United States, and which involve civil aircraft and certain public aircraft, when the accident is not in the territory of another state (*i.e.*, in international waters).

(2) Certain aviation field investigations are conducted by the Federal Aviation Administration (FAA), pursuant to a request to the Secretary of the Department of Transportation, effective February 10, 1977 (see appendix to part 800 of this chapter),<sup>1</sup> but the Board determines the probable cause of such accidents. Under no circumstances shall investigations conducted by the Board be considered joint investiga-

<sup>1</sup>The authority of a representative of the Federal Aviation Administration during such field investigations shall be the same as that of a Board investigator under this part.

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tions in the sense of sharing responsibility. However, in the case of an accident or incident involving civil aircraft of U.S. registry or manufacture in a foreign state which is a signator to Annex 13 to the Chicago Convention of the International Civil Aviation Organization, the state of occurrence is responsible for the investigation. If it occurs in a foreign state which is not bound by the provisions of Annex 13 to the Chicago Convention, the conduct of the investigation shall be in consonance with any agreement entered into between the United States and the foreign state.

(b) *Surface.* The Board is responsible for the investigation of railroad accidents in which there is a fatality, substantial property damage, or which involve a passenger train (see part 840 of this chapter); major marine casualties and marine accidents involving a public and nonpublic vessel or involving Coast Guard functions (See part 850 of this chapter); highway accidents, including railroad grade-crossing accidents, which it selects in cooperation with the States; and pipeline accidents in which there is a fatality or substantial property damage.

(c) *Other accident.* The Board is also responsible for the investigation of an accident which occurs in connection with the transportation of people or property which, in the judgment of the Board, is catastrophic, involves problems of a recurring character, or would otherwise carry out the policy of the Independent Safety Board Act of 1974.

[53 FR 15847, May 4, 1988, as amended at 60 FR 40113, Aug. 7, 1995]

### § 831.3 Authority of Directors.

The Director, Bureau of Accident Investigation, or the Director, Bureau of Field Operations, subject to the provisions of § 831.2, may order an investigation into any accident or incident.

### § 831.4 Nature of investigation.

Accident or incident investigations are conducted by the Board in order to determine the facts, conditions, and circumstances relating to each accident or incident and the probable cause thereof and to ascertain measures which will best tend to prevent similar accidents or incidents in the future.